

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50502 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- Benibad District- Muzaffarpur

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1. Sudhanshu Kumar @ Vicky S/O Shri Alok Tiwary R/O- Vaillage- Jantadih, PS- Benibad, District- Muzaffapur
 2. Priyanshu Kumar @ Muskan S/O Shri Alok Tiwary R/O- Vaillage- Jantadih, PS- Benibad, District- Muzaffapur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Navendu Kumar, Advocate
For the Opposite Party/s	:	Mr. Bishweshwar Ram, APP
For the Informant	:	Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-08-2025

Heard Mr. Navendu Kumar, learned counsel

appearing on behalf of the petitioners; Mr. Bishweshwar Ram, learned APP appearing on behalf of the State and Mr. Arvind Kumar, learned counsel appearing on behalf of the Informant.

2. The petitioners apprehend their arrest in connection with Benibad P.S. Case No. 80 of 2024 registered under Section 126(2), 118(1), 115, 117, 303(2), 109, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023.

3. As per the allegation made in the FIR, the petitioners wanted to put pressure on the informant to not to participate in the PACS (Primary Agricultural Credit Society) elections that lead to a fight between them, in which the



informant and his family members sustained injuries on the vital part of their body.

4. Learned counsel appearing on behalf of the petitioners submitted that a false allegation has been made against the petitioners on the basis of concocted story that the petitioners had tried to restrain the informant from contesting the PACS elections. The informant is a land mafia and taking advantage of death of his uncle wanted to grab land that lead to the fight between the parties. The place of occurrence is at the agricultural land. There is case and counter case between the parties, arising out of the same incidence lodged on the same date. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, having perused the FIR and the pleading made in the bail application it is admitted by the parties that there is case and counter case between them and due to land dispute, they entered into a fierce fight and in the same, the petitioners may have caused some injuries on the person of the informant in their self-defense. I am of the opinion that the



petitioners have, *prima facie*, made out a case to be released on anticipatory bail

7. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate 10th, Muzaffarpur East in connection with Benibad P.S. Case No. 80 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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